

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

TIMPHONY L WALKER,	)	No C 04-0022 VRW (PR)
	)	
Plaintiff(s),	)	ORDER GRANTING
	)	PLAINTIFF'S MOTION FOR
vs.	)	APPOINTMENT OF
	)	COUNSEL AND REFERRING
WHEELER, et al,	)	PLAINTIFF TO FEDERAL
	)	PRO BONO PROJECT
Defendant(s).	)	
_____	)	(Doc # 41)

Per order filed on December 14, 2005, the court granted defendants' motion for summary judgment in this prisoner action for damages under 42 USC § 1983, except as to plaintiff's excessive force claim against correctional officers Wheeler and Ligouri. The court found that, when viewed in the light most favorable to plaintiff, there are genuine issues for trial on plaintiff's excessive force claim against Wheeler and Ligouri and qualified immunity is not in order as a matter of law. See Dec 14, 2005 Order at 13.

Plaintiff being in need of counsel to assist him in further proceedings in this matter, and good and just cause appearing,

IT IS HEREBY ORDERED that plaintiff's motion for appointment of counsel (doc # 41) is GRANTED and that plaintiff shall be referred to the Federal Pro Bono Project in the manner set forth below:

1           (1) The clerk shall forward to the Federal Pro Bono Project: (a) a copy  
2 of this order, (b) a copy of the court file, and (c) a brief memorandum outlining  
3 the facts and procedural posture of the action.

4           (2) Upon an attorney being located to represent plaintiff, that attorney  
5 shall be appointed as counsel for plaintiff in this matter until further order of the  
6 court.

7           (3) All proceedings in this action are stayed until four weeks from the  
8 date an attorney is appointed to represent plaintiff in this action.

9           SO ORDERED.



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12 VAUGHN R WALKER  
13 United States District Chief Judge  
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